IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(C).No. 32824 of 2007(G)

PETITIONER:

N.MONY, S/O. NEELAKANTAN ACHARY,
PRANAVAM, NEAR NALUKANDAM, GURUPURAM, ALAPPUZHA,
(INSPECTOR - RETIRED, K.S.R.T.C., ALUVA).

BY ADV. SRI.ANANDARAJAN.N
SRI.K.K.MANGALANANDAN

RESPONDENTS:

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1. THE KERALA STATE ROAD TRANSPORT CORPN.,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, FORT P.O.,THIRUVANANTHAPURAM-23.

2. THE FINANCIAL ADVISOR AND CHIEF ACCOUNTS
OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT P.O.,THIRUVANANTHAPURAM-23.

3. THE ASSISTANT PERSONAL OFFICER(PENSION),
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT P.O.,THIRUVANANTHAPURAM-23.

4. THE DISTRICT TRANSPORT OFFICER,
ALUVA.

BY ADV. SRI. K. PRABHAKARAN, SC for K.S.R.T.C

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN , J

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W.P.(C). NO. 32824 OF 2007

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Dated this the 20th day of November, 2007.

JUDGMENT

Heard.

2. The petitioner is a retired employee of the Kerala State Road Transport Corporation. He has sought for a direction to release his retirement benefits. Insofar as the D.C.R.G and commutted value of pension are concerned, he will have to go by the priority rule fixed by the Division Bench, however with liberty to seek out of turn release of such amount, under orders of this Court, under any extra ordinary circumstance. However, the K.S.R.T.C has no right whatsoever to detain the provident fund closure amount and the staff welfare fund amount that may be due to the petitioner.

For the aforesaid reason, this writ petition is disposed of directing that the entire provident fund closure amount due to him shall be released within an outer limit of three weeks from the date of production of a copy of this judgment. The right of the petitioner for D.C.R.G and commutted value of pension are left open.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

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